

E-FILED on 11/5/10

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

FORTINET, INC.,

Plaintiff,

v.

PALO ALTO NETWORKS, INC.,

Defendants.


No. C-09-00036 RMW

ORDER DENYING MOTION TO STRIKE

[Re Docket No. 169]

Fortinet, Inc. ("Fortinet") moves to strike portions of Palo Alto Networks, Inc. ("PAN")'s reply papers. PAN argues that it was forced to raise new arguments in its reply papers because Fortinet changed its theory of infringement. To prevent prejudice and to allow the parties to flesh out issues that were raised for the first time in PAN's reply papers, the court permitted the parties to submit supplemental briefing. The court therefore denies Fortinet's motion to strike.

DATED: 11/5/10


RONALD M. WHYTE
United States District Judge